

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,	)	Civil Action No. 8:09CV00396
	)	
Petitioner,	)	
	)	<b>ORDER OF DISMISSAL</b>
v.	)	
	)	
MALLOY PLUMBING, INC.	)	
DAVID MALLOY, PRESIDENT,	)	
	)	
Respondent.	)	
	)	

This matter is before the Court on the Petitioner's voluntary Notice of Dismissal [Filing No. 9]. While Fed.R.Civ.Pro. 41(a)(1) provides that no order is necessary where, as here, such notice is filed prior to Respondent's having filed an answer or motion for summary judgment, in the interest of clarity for docketing purposes, upon consideration, and for good cause shown,

**IT IS ORDERED** that this matter be, and hereby is, dismissed without prejudice, each party to bear their own costs; it is

**FURTHER ORDERED** that the hearing scheduled for December 18, 2009 is cancelled.

DATED this 8th day of December, 2009.

BY THE COURT:

/s Joseph F. Bataillon  
JOSEPH F. BATAILLON  
Chief District Court Judge